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Dated: September 28, 2006 Signature: _____

(Maria Laccotripe Zacharakis, Ph.D., J.D.)

Docket No.: BGI-125CPCN
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Markus Pompejus *et al.*

Application No.: 10/627476

Confirmation No.: 2236

Filed: July 25, 2003

Art Unit: 1631

For: *CORYNEBACTERIUM GLUTAMICUM*
GENES ENCODING PROTEINS INVOLVED
IN MEMBRANE SYNTHESIS AND
MEMBRANE TRANSPORT

Examiner: J. S. Brusca

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

For the Examiner's convenience in reviewing this continuation application, Applicants submit a consolidated PTO Form SB/08, listing all references cited during the prosecution of the parent application. References B29-B31 and C353-C355 were previously cited and submitted to the Office in U.S. Application Serial No. 09/602,787, filed June 23, 2000 (Atty. Docket No.

10/05/2006

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BGI-125CP), of which this application is a continuation and to which this application claims priority. In accordance with 37 CFR §1.98(d), these references are not enclosed herewith, but will be provided upon request. In addition, this Information Disclosure Statement presents references B1-B28 and C1-C352, and C356-357, not previously submitted to the Office, which are enclosed herewith in accordance with 37 CFR §1.97.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 12-0080 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. BGI-125CPCN.

Dated: September 28, 2006

MLZ/MG/JGSmch

Respectfully submitted,

By


Maria Laccotripe Zacharakis, Ph.D., J.D.

Registration No.: 56,266

LAHIVE & COCKFIELD, LLP

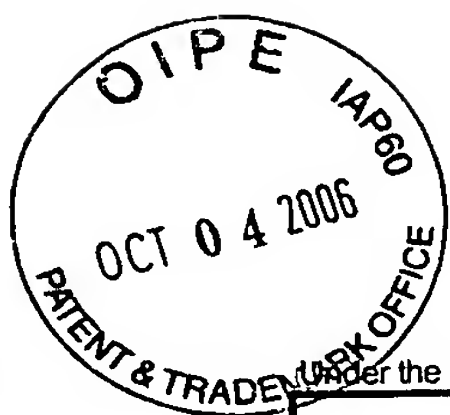
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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/627476-Conf. #2236
	Filing Date	July 25, 2003
	First Named Inventor	Markus POMPEJUS
	Art Unit	1631
	Examiner Name	J. S. Brusca
Total Number of Pages in This Submission	Attorney Docket Number	BGI-125CPCN

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO form SB/08; Certificate of Mailing; Copies of Three Hundred and Eighty Two (382) References; Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Maria Laccotripe Zacharakis, Ph.D., J.D.		
Date	September 28, 2006	Reg. No.	56,266

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(Maria Laccotripe Zacharakis, Ph.D., J.D.)



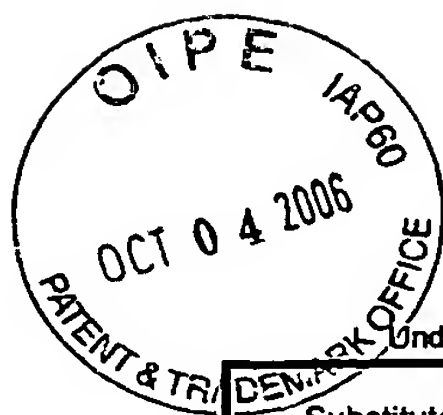
Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/627476-Conf. #2236
		Filing Date	July 25, 2003
		First Named Inventor	Markus POMPEJUS
		Examiner Name	J. S. Brusca
		Art Unit	1631
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	BGI-125CPCN
(\$)			180.00

METHOD OF PAYMENT (check all that apply)	
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FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
2. EXCESS CLAIM FEES							
Fee Description						Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
_____ - = _____		x _____	= _____	_____	Fee (\$)		Fee Paid (\$)
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
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3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
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4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)						Fees Paid (\$)	
Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement						180.00	

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	56,266
Name (Print/Type)	Maria Laccotripe Zacharakis, Ph.D., J.D.	Telephone	(617) 227-7400
		Date	September 28, 2006

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PTO/SB/08a/b (07-05)

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/627476-Conf. #2236
				Filing Date	July 25, 2003
				First Named Inventor	Markus POMPEJUS
				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	1	of	19	Attorney Docket Number	BGI-125CPCN

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1	EP-0204326-A2	12-10-1986	Kyowa Hakko Kogyo Co., Ltd.		
	B2	JP-62232392	10-12-1987	Kyowa Hakko Kogyo Co., Ltd.		Abstr.
	B3	JP-62244382	10-24-1987	Ajinomoto Co., Inc.		Abstr.
	B4	EP-0358940-A1	03-21-1990	Degussa Aktiengesellschaft		
	B5	JP-04278088	10-02-1992	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B6	JP-04330284	11-18-1992	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B7	JP-05030977	02-09-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B8	JP-05056782	03-09-1993	Kyowa Hakko Kogyo Co. Ltd.		Abstr.
	B9	JP-05076352	03-30-1993	Ajinomoto Co., Inc.		Abstr.
	B10	JP-05184366	07-27-1993	Mitsubishi Petrochem Co. Ltd.		Abstr.
	B11	JP-05184371	07-27-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B12	JP-05284970	11-02-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B13	JP-05284972	11-02-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B14	JP-05344881	12-27-1993	Ajinomoto Co., Inc.		Abstr.
	B15	JP-05344893	12-27-1993	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B16	JP-06062866	03-08-1994	Ajinomoto Co., Inc.		Abstr.
	B17	JP-06169780	06-21-1994	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B18	JP-06261766	09-20-1994	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B19	JP-06277067	10-04-1994	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B20	JP-06277073	10-04-1994	Mitsubishi Petrochem Co., Ltd.		Abstr.
	B21	JP-07031476	02-03-1995	Mitsubishi Chem		Abstr.
	B22	JP-07031478	02-03-1995	Mitsubishi Chem		Abstr.
	B23	JP-09028391	02-04-1997	Mitsubishi Chem		Abstr.
	B24	JP-09070291	03-18-1997	Ajinomoto Co., Inc.		Abstr.
	B25	JP-07075578	03-20-1995	Mitsubishi Chem		Abstr.
	B26	JP-07075579	03-20-1995	Mitsubishi Chem		Abstr.
	B27	WO-9519442-A1	07-20-1995	Forschungszentrum Jülich GMGH Möckel		Abstr.
	B28	JP-09224661	09-02-1997	Mitsubishi Chem		Abstr.
	B29*	EP-0252558-A2	01-13-1988	SCLAVO S.p.A.		
	B30*	EP-0752472-B1	01-08-1997	Ajinomoto Co. Inc.		
	B31*	EP-0786519-A2	07-30-1997	Human Genome Sciences, Inc.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/627476-Conf. #2236
				Filing Date	July 25, 2003
				First Named Inventor	Markus POMPEJUS
				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	2	of	19	Attorney Docket Number	BGI-125CPCN

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Ankri, Serge, et al., "Mutations in the <i>Corynebacterium glutamicum</i> Proline Biosynthetic Pathway: a Natural Bypass of the <i>proA</i> Step," <i>Journal of Bacteriology</i> , Vol. 178(15):4412-4419 (1996)	
	C2	Billman-Jacobe, H., "Nucleotide sequence of a <i>recA</i> gene from <i>Corynebacterium glutamicum</i> ," <i>The Journal of Sequencing and Mapping</i> , Vol. 4:403-404 (1994)	
	C3	Bonamy, Celine, et al., "Identification of IS1206, a <i>Corynebacterium glutamicum</i> IS3-related insertion sequence and phylogenetic analysis," <i>Molecular Microbiology</i> , Vol. 14(3):571-581 (1994)	
	C4	Bonnassie, S., et al., "Nucleotide sequence of the <i>dapA</i> gene from <i>Corynebacterium glutamicum</i> ," <i>Nucleic Acids Research</i> , Vol. 18(21):6421 (1990)	
	C5	Börmann, E.R., et al., "Molecular analysis of the <i>Corynebacterium glutamicum</i> <i>gdh</i> gene encoding glutamate dehydrogenase," <i>Molecular Microbiology</i> , Vol. 6(3):317-326 (1992)	
	C6	Chen, Chian-Chi, et al., "The cloning and nucleotide sequence of a <i>Corynebacterium glutamicum</i> 3-deoxy-D-arabinoheptulosonate-7-phosphate synthase gene," <i>FEMS Microbiology Letters</i> , Vol. 107:223-230 (1993)	
	C7	Cianciotto, Nicholas, et al., "DNA sequence homology between attB-related sites of <i>Corynebacterium diphtheriae</i> , <i>Corynebacterium ulcerans</i> , <i>Corynebacterium glutamicum</i> , and the attP site of γ -Corynephage," <i>FEMS Microbiology Letters</i> , Vol. 66:299-302 (1990)	
	C8	Correia, Antonio, et al., "Cloning and characterization of an IS-like element present in the genome of <i>Brevibacterium lactofermentum</i> ATCC 13869," <i>Gene</i> , Vol. 170:91-94 (1996)	
	C9	Dusch, Nicole, et al., "Expression of the <i>Corynebacterium glutamicum</i> <i>panD</i> Gene Encoding L-Aspartate- α -Decarboxylase Leads to Pantothenate Overproduction in <i>Escherichia coli</i> ," <i>Applied and Environmental Microbiology</i> , Vol. 65(4):1530-1539 (1999)	
	C10	Eikmanns, Bernhard J., et al., "Nucleotide sequence, expression and transcriptional analysis of the <i>Corynebacterium glutamicum</i> <i>gltA</i> gene encoding citrate synthase," <i>Microbiology</i> , Vol. 140:1817-1828 (1994)	
	C11	Eikmanns, Bernhard J., "Identification, Sequence Analysis, and Expression of a <i>Corynebacterium glutamicum</i> Gene Cluster Encoding the Three Glycolytic Enzymes Glyceraldehyde-3-Phosphate Dehydrogenase, 3-Phosphoglycerate Kinase, and Triosephosphate Isomerase," <i>Journal of Bacteriology</i> , Vol. 174(19):6076-6086 (1992)	
	C12	Eikmanns, Bernhard J., et al., "Cloning, Sequence Analysis, Expression, and Inactivation of the <i>Corynebacterium glutamicum</i> <i>icd</i> Gene Encoding Isocitrate Dehydrogenase and Biochemical Characterization of the Enzyme," <i>Journal of Bacteriology</i> , Vol. 177(3):774-782 (1995)	
	C13	Eikmanns, Bernhard J., et al., "The phosphoenolpyruvate carboxylase gene of <i>Corynebacterium glutamicum</i> : Molecular cloning, nucleotide sequence, and expression," <i>Mol. Gen. Genet.</i> , Vol. 218:330-339 (1989)	
	C14	Fitzpatrick, R., et al., "Construction and characterization of <i>recA</i> mutant strains of <i>Corynebacterium glutamicum</i> and <i>Brevibacterium lactofermentum</i> ," <i>Appl. Microbiol. Biotechnol.</i> , Vol. 42:575-580 (1994)	
	C15	Follettie, Max T., et al., "Molecular Cloning and Nucleotide Sequence of the <i>Corynebacterium glutamicum</i> <i>pheA</i> Gene," <i>Journal of Bacteriology</i> , Vol. 167(2):695-702 (1986)	
	C16	Fouet, Agnes, et al., " <i>Bacillus subtilis</i> sucrose-specific enzyme II of the phosphotransferase system: Expression in <i>Escherichia coli</i> and homology to enzymes II from enteric bacteria,"	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
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				Filing Date	July 25, 2003
				First Named Inventor	Markus POMPEJUS
				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	3	of	19	Attorney Docket Number	BGI-125CPCN

		<i>Proc. Natl. Acad. Sci.</i> , Vol. 84:8773-8777 (1987)	
	C17	Han, K.-S., et al., "The molecular structure of the <i>Corynebacterium glutamicum</i> threonine synthase gene," <i>Molecular Microbiology</i> , Vol. 4(10):1693-1702 (1990)	
	C18	Heery, D.M., et al., "Nucleotide sequence of the <i>Corynebacterium glutamicum</i> <i>trpE</i> gene," <i>Nucleic Acids Research</i> , Vol. 18(23):7138 (1990)	
	C19	Heery, D.M., et al., "Cloning of the <i>trp</i> Gene Cluster from a Tryptophan-Hyperproducing Strain of <i>Corynebacterium glutamicum</i> : Identification of a Mutation in the <i>trp</i> Leader Sequence," <i>Applied and Environmental Microbiology</i> , Vol. 59(3):791-799 (1993)	
	C20	Heery, David M., et al., "A Sequence from a Tryptophan-Hyperproducing Strain of <i>Corynebacterium glutamicum</i> Encoding Resistance to 5-Methyltryptophan," <i>Biochemical and Biophysical Research Communications</i> , Vol. 201(3):1255-1262 (1994)	
	C21	Honrubia, M.P., et al., "Identification, characterization, and chromosomal organization of the <i>ftsZ</i> gene from <i>Brevibacterium lactofermentum</i> ," <i>Mol. Gen. Genet.</i> , Vol. 259:97-104 (1998)	
	C22	Ishino, Shuichi, et al., "Nucleotide sequence of the meso-diaminopimelate D-dehydrogenase gene from <i>Corynebacterium glutamicum</i> ," <i>Nucleic Acids Research</i> , Vol. 15(9):3917 (1987)	
	C23	Jäger, Wolfgang, et al., "A <i>Corynebacterium glutamicum</i> Gene Conferring Multidrug Resistance in the Heterologous Host <i>Escherichia coli</i> ," <i>Journal of Bacteriology</i> , Vol. 179(7):2449-2451 (1997)	
	C24	Jäger, Wolfgang, et al., "A <i>Corynebacterium glutamicum</i> gene encoding a two-domain protein similar to biotin carboxylases and biotin-carboxyl-carrier proteins," <i>Arch. Microbiol.</i> , Vol. 166:76-82 (1996)	
	C25	Jakoby, Marc, et al., "Isolation of the <i>Corynebacterium glutamicum</i> <i>glnA</i> gene encoding glutamine synthetase I," <i>FEMS Microbiology Letters</i> , Vol. 154:81-88 (1997)	
	C26	Jakoby, Marc, et al., "Nitrogen regulation in <i>Corynebacterium glutamicum</i> : isolation of genes involved and biochemical characterization of corresponding proteins," <i>FEMS Microbiology Letters</i> , Vol. 173:303-310 (1999)	
	C27	Jetten, Mike S., et al., "Structural and Functional Analysis of Pyruvate Kinase from <i>Corynebacterium glutamicum</i> ," <i>Applied and Environmental Microbiology</i> , Vol. 60(7):2501-2507 (1994)	
	C28	Joliff, G., et al., "Cloning and nucleotide sequence of the <i>csp1</i> gene encoding PS1, one of the two major secreted proteins of <i>Corynebacterium glutamicum</i> : the deduced N-terminal region of PS1 is similar to the <i>Mycobacterium</i> antigen 85 complex," <i>Molecular Microbiology</i> , Vol. 6(16):2349-2362 (1992)	
	C29	Kalinowski, J., et al., "Genetic and biochemical analysis of the aspartokinase from <i>Corynebacterium glutamicum</i> ," <i>Molecular Microbiology</i> , Vol. 5(5):1197-1204 (1991)	
	C30	Kalinowski, Jörn, et al., "Aspartokinase gene <i>lysCα</i> and <i>lysCβ</i> overlap and are adjacent to the aspartate β -semialdehyde dehydrogenase gene <i>asd</i> in <i>Corynebacterium glutamicum</i> ," <i>Mol. Gen. Genet.</i> , Vol. 224:317-324 (1990)	
	C31	Keilhauer, Carmen, et al., "Isoleucine Synthesis in <i>Corynebacterium glutamicum</i> : Molecular Analysis of the <i>ilvB-ilvN-ilvC</i> Operon," <i>Journal of Bacteriology</i> , Vol. 175(17):5595-5603 (1993)	
	C32	Kimura, Eiichiro, et al., "Molecular Cloning of a Novel Gene, <i>dtsR</i> , Which Rescues the Detergent Sensitivity of a Mutant Derived from <i>Brevibacterium lactofermentum</i> ," <i>Biosci. Biotech. Biochem.</i> , Vol. 60(10):1565-1570 (1996)	
	C33	Kobayashi, Miki, et al., "Cloning, Sequencing, and Characterization of the <i>ftsZ</i> Gene from <i>Corynebacterium glutamicum</i> ," <i>Biochemical and Biophysical Research Communications</i> , Vol. 236:383-388 (1997)	
	C34	Kronmeyer, Wolfgang, et al., "Structure of the <i>gluABCD</i> Cluster Encoding the Glutamate Uptake System of <i>Corynebacterium glutamicum</i> ," <i>Journal of Bacteriology</i> , Vol. 177(5):1152-1158 (1995)	

Examiner Signature		Date Considered	
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			Examiner Name	John S. Brusca	
Sheet	4	of	19	Attorney Docket Number	BGI-125CPCN

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				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	5	of	19	Attorney Docket Number	BGI-125CPCN

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Sheet	6	of	19	Attorney Docket Number	BGI-125CPCN

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			Art Unit	1631	
			Examiner Name	John S. Brusca	
Sheet	7	of	19	Attorney Docket Number	BGI-125CPCN

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				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	8	of	19	Attorney Docket Number	BGI-125CPCN

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			Examiner Name	John S. Brusca	
Sheet	9	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature		Date Considered	

Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/627476-Conf. #2236
				Filing Date	July 25, 2003
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				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	10	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature			Date Considered

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				Application Number	10/627476-Conf. #2236
				Filing Date	July 25, 2003
				First Named Inventor	Markus POMPEJUS
				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	11	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	12	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature		Date Considered	
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			Art Unit	1631	
			Examiner Name	John S. Brusca	
Sheet	13	of	19	Attorney Docket Number	BGI-125CPCN

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			Art Unit	1631	
			Examiner Name	John S. Brusca	
Sheet	14	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature		Date Considered	

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/627476-Conf. #2236	
			Filing Date	July 25, 2003	
			First Named Inventor	Markus POMPEJUS	
			Art Unit	1631	
			Examiner Name	John S. Brusca	
			Attorney Docket Number	BGI-125CPCN	
Sheet	15	of	19		

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Examiner Signature		Date Considered	

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/627476-Conf. #2236	
			Filing Date	July 25, 2003	
			First Named Inventor	Markus POMPEJUS	
			Art Unit	1631	
			Examiner Name	John S. Brusca	
Sheet	16	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature		Date Considered	

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/627476-Conf. #2236	
			Filing Date	July 25, 2003	
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			Art Unit	1631	
			Examiner Name	John S. Brusca	
Sheet	17	of	19	Attorney Docket Number	BGI-125CPCN

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Examiner Signature		Date Considered	

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Filing Date	July 25, 2003
				First Named Inventor	Markus POMPEJUS
				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	18	of	19	Attorney Docket Number	BGI-125CPCN

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				Art Unit	1631
				Examiner Name	John S. Brusca
Sheet	19	of	19	Attorney Docket Number	BGI-125CPCN

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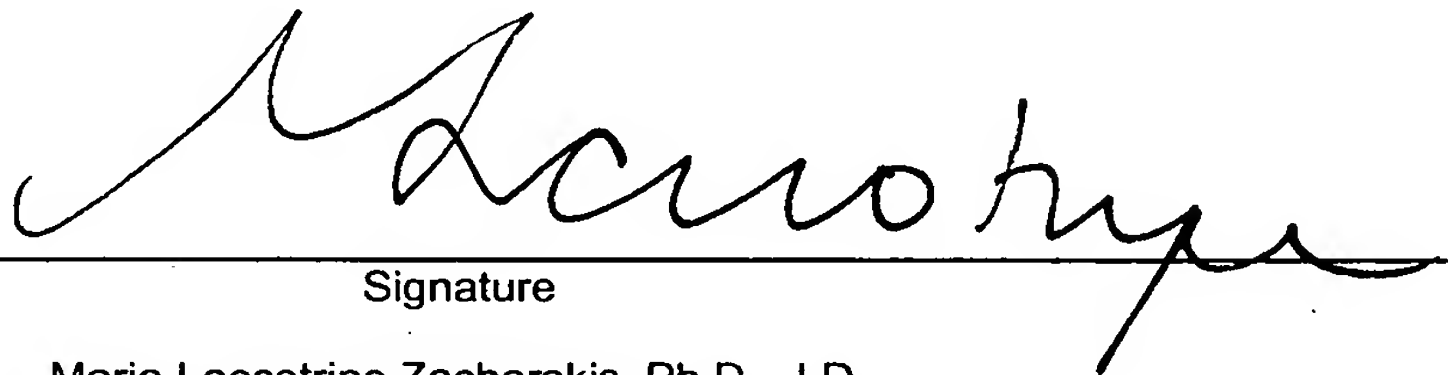
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